

## REMARKS

Claims 1 and 2 stand rejected under 35 U.S.C. §102(b) as being anticipated by Romano.

Applicant respectfully traverses the rejection.

Romano discloses a device that displays a picture and recorded message in a housing unit when the housing unit is plugged into a vehicle's cigarette lighter socket. Romano clearly states that the disclosed device is only intended to operate with the vehicle's ignition is in an on-state. Specifically, Romano states "When the user turns on the ignition of the motor vehicle the sound 14 of the recorded message is automatically activated via the automatic On/Off switch 98 of the electronic microchip 94 from within the electronic compartment 80." See Column 4, Lines 45-49.

In contrast, the present invention is intended to provide a warning message when the ignition state of the vehicle is change from an on-state to an off-state. The detection of the change in vehicle state is indicative of the necessity of removing an infant from the vehicle to prevent potential injury. As stated in claim 1, the claimed invention includes a switching device that provides a signal to the recording device indicative of a change in ignition state of the vehicle from an on-state to an off-state. Romano fails to disclose such a switching device and therefore cannot anticipate the claims at issue.

Claims 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Romano in view of Drori. Drori is cited for teaching the use of normally closed relays. Applicant submits that the combination of Romano and Drori, even if assumed to be proper for the purposes of the present prosecution, would not yield the claimed invention, as Drori could not motivate one to modify the device of Romano to function in an entirely different manner. In other words, any attempt to modify Romano to include the claimed switching device would be in

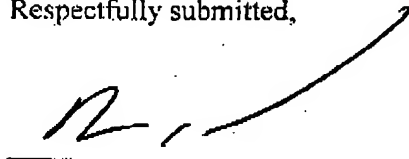
direct contrast to the teachings of Romano which requires operation when the ignition state is turned to the on-state.

Applicant has also added new claim 5 which includes the use of a power source internal to the housing in order to power the recording device. The cited references also fail to disclose or suggest this feature.

In view of the above, all of the claims in this case are believed to be in condition for allowance, notice of which is respectfully urged.

Respectfully submitted,

Date: 09/09/05

  
\_\_\_\_\_  
Marc A. Rossi -  
Registration No. 31,923

Attorney Docket No. JAME:001

ROSSI & ASSOCIATES  
P.O. Box 826  
Ashburn, VA 20146-0826  
703-726-6020